

## **CITY COUNCIL WORKSHOP**

**WEDNESDAY, DECEMBER 16, 2015 - 5:00 P.M.  
22 WASHINGTON STREET - EASTPORT POLICE STATION**

**Those In Attendance:** *Councilor Roscoe Archer, Councilor Gilbert Murphy, Council President, Mary Repole, and newly appointed Councilor Jan Finley.*

**Audience Attendance:** *Scott Emery, Pauline Emery, Chris Bartlett, Russ Terry, Elizabeth Hastings-Renner, Jon McNerney, Denise Cassidy, Ken Brown, Chrissy Greenlaw, Dana Turner, Bonnie MacGregor, Dale Maddocks, and Cecil Cates.*

**WORKSHOP - 5:00 P.M.**

### **I. CALL TO ORDER (OPENING of the WORKSHOP)**

Council President calls to order the opening of the Workshop at 5:00 p.m. and the City Manager explains that the purpose of the workshop is to meet with the State Wildlife Biologist, Tom Schaeffer, as well as the public with regard to the deer population to discuss the City's options relative to the management.

Council President introduces the State Wildlife Biologist, Tom Schaeffer, and asks that he share with us any suggestions and the pros and cons.

### **II. DISCUSSION**

Mr. Schaeffer comments to say that he and the State are well aware of the problems and concerns of Eastport's deer population. He continues to say that he is the regional wildlife biologist for the downeast region. He also notes that he has worked with five island communities who have also experienced similar issues with deer population.

He speaks to papers that he has forwarded to the City with regard to their approach and policy of how they deal with local deer problems and the other document is more to the extreme but shows how they address those as well. The policy addresses management options.

He shares recreational hunting is most effective means and is also most cost effective as a tool to help manage the deer population. It can also have a variable effect, it is not a given solution.

When they look to regulate the deer population, they consider all factors and complexities such as can you discharge firearms, is it an archery only district, etc. As they look to regulating the deer population, it is more towards the female component of the herd.

He informed Council that District 27 consists of three geographical areas that are experiencing problems with the deer population. Eastport is one of them and the other two are townships. They are at a level where they are looking to issue doe permits or what they refer as “any deer permit” as an alternative. This would allow the permit holder to take either sex, which would either be a doe or a buck. This brings the State at that point and that it has been about 25 years since this was last done. If and when they choose to do that, it will have an impact on Eastport as it would mean that archery hunters would be able to take antlerless deer in Eastport whereas they are restricted under current law with the archery season, the allowance to take any deer is limited by the firearms regulations which has been “bucks only” and archers have to follow that. Should they issue permits in a district they would have to manage that at a district level not on a town level. If they issue some number of permits in District 27 for next year in the Fall, that would mean “doe” deer would be legal game and legal tender in Eastport.

It is his position and will be his recommendation for next year to start to institute “any deer” permits for the district for the ability to harvest “doe” deer and feels strongly that this is what is needed here in Eastport.

At this point and time, he will discuss his recommendation with the division director, the deer biologists and with his staff. He is hopeful that “doe deer” become legal quarry for next Fall and to give this a couple of years and see if that is effective in reducing the deer population with the harvesting of antlerless deer.

He further states that he is open to receiving suggestions from towns people and the Council to give hunters incentive to the change of behavior to encourage them to shoot a doe, tag it and register it. He is looking for a way to do that which results in altering the hunter's behavior.

If they were to issue “any deer” permits, they would be small in numbers on a district level and those would go to firearm hunters, whereas, archery hunters can take either sex. He is reluctant and opposed to any discussion or any serious move towards any kind of special hunt or even an expanded archery. Expanded archery is used in districts where traditional hunting methods have failed to reach a target objective. Expanded archery covers the period from the Fall of September through the second week in November and this would be the next step should regular archery fails in controlling the population. However, he rather see a couple of years hunting under regular archery with the ability to to take “doe” deer and see if we can't get hunters to have the incentive to select “does” instead of “bucks”. As a department, they are always working to balance social and biological effects of their recommendations. They would rather approach it this way so that Eastport does not become a “magnet”. He feels we would be best served by going the slower level rather than a dramatic one.

Jon McNerney of the audience asks of the *estimated* population of deer on the island and what should the *target* population be? He responds to the first question by saying they do not know as they do not manage deer on a township level as they only manage deer on a wildlife district level. They do have a short term goal and those are established by the input of public working groups not by the department and the public working group is currently being reconvened to review the goals and objectives of the “white-tail” deer statewide. The short-term objective for all of District 27 was ten deer per square mile and the long-term objective was to build the population to fifteen deer per square mile. He believes Eastport is well over that given the number of complaints and the history. Mr. McNerney asks what causes the development to get those numbers and density? Mr. Schaeffer responds to say that the population is determined many ways. One of which is to spend money to bring in consultants to do estimates by various techniques in the completion of surveys which are costly.

He speaks to another alternative of what they refer to as a biological caring capacity is the ability of habitat to support deer in a given area. In Eastport's case, the habitat has begun to suffer. Indicators show even now that the population as well as the habitat is stressed which results in being over the biological caring capacity. Social caring capacity is the willingness or the ability of the local population to tolerate the deer population regardless of what it is.

Mr. McNerney then asks if there is a deer density level that is a turning point where disease becomes of importance. Mr. Schaeffer responds to say that Dr. Paul Rand of the Southern Maine Medical Center has a conclusion to minimize the potential for lime disease that the deer population has to be ten deer or less per square mile. He will forward Dr. Rand's findings on this data.

Dana Turner from the audience asks a question should they pick a number of like 20-25 deer for permits, it would not then be necessary to have an extended season as they already have two months that the “does” haven't been shot in that period and asks if they would recommend an extended period? Mr. Schaeffer responds if they issue permits next year, they would be exclusive to firearms hunters that hunt during the regular firearm season. He further states that the legislation is currently that archery must follow the regulations and rules of what is legal quarry as the firearms does with the exception of expanded archery. Permits would have to be issued over the entire district rather than exclusive to Eastport. It would allow archery hunters to legally harvest and tag a “doe” deer in Eastport under the regular archery season, which is basically the month of October. He does not recommend the expanded archery season as we have not yet exhausted the regular archery season to see if they can change hunter behavior to let them know there is local and town interest to reduce the deer population which hopefully will give them incentive to the taking of “does” which he believes is the best way to control the population. Mr. Turner expresses concern about it going district wide and safety. Mr. Schaeffer believes this would be the softer approach to start by putting permits out for all of District 27 no matter what the number, which would mean that the archers that come to Eastport would be able to legally harvet a “doe” deer or anywhere in District 27. Mr. Turner acknowledges that there are too many on the island but feels it would open Eastport up as a magnet for easy picking.

Chris Bartlett from the audience asks for clarification from Mr. Schaeffer that regardless of how many “doe” permits the department would issue, all bow hunters can take one “doe”. He answers by saying in Eastport, Pembroke, and Perry, Edmunds, and all the way down the line.

Jon McNerney of the audience asks Mr. Schaeffer what has to happen to institute a master plan to controlling this and getting it under way. Mr. Schaeffer responds that the town would assign a deer committee and they identify the problem, they communicate with the police department, the sherriff's department, the health center, and they provide facts that the deer population is an issue and is beyond the biological or social capacity. The department meets with the town to explore management alternatives. They report to the Council and the Council makes the decision on what recommendations are to be followed. Mr. McNerney asks if the department has a template for general guidance of the type of information that should be collected. Mr. Schaeffer makes reference to looking at the Bar Harbor website as a good resource as well as Castine and Islesboro. He further comments to say that the document provided to the City does make reference to certain requirements that must be met. Should the City want a “special hunt”, there are certain provisions and guidelines that must be met, he is not suggesting that we are not at that point. Mr. McNerney stated he was referring

to the long-term management plan. Mr. Schaeffer believes the next logical step would be for the City to expand the opportunity to harvest deer in Eastport and by the department taking action to issue permits it would do that.

Bonnie MacGregor of the audience comments to say that she was a resident of Islesboro and that they do have a wonderful bow and hunting club where everyone was very well trained. Here you see deer impeded with arrows, etc. Mr. Schaeffer speaks that the traditional safe way to archery hunt is from a tree stand.

Cecil Cates from the audience asks a question about the suggestion that it be twenty deer per square mile of carrying capacity and asks about the population of the deer on the island which is not known. Mr. Cates' guess is that it is over 75 or more and asks if Mr. Schaeffer's proposal is going to maintain issuing an "any doe" permit for District 27 and will it really have an affect on solving the issues with the deer. Mr. Cates' concern is for the children and the risk they are at for lyme disease. Mr. Schaeffer strongly believes that the change in the hunter's behavior will be a contributing factor along with weighing the biological and social is justified in targeting the female component of the herd but that must begin with the hunters to take "does" rather than "bucks". There are quicker solutions but he would be concerned about the social fall out and the consequences. Mr. Cates asks if the department would have an issue with the Council setting up tree stands on City owned property or the leasing of stands out. That would allow for hunters to be stationary and the deer would be kept in an area away from the public during the hunt. He specifically makes reference to the airport. Mr. Schaeffer responds that he would have to run that by the Commissioner's office. Council President responds that she did not believe the insurance would cover it. Mr. Cates then asks if the insurance company would cover a claim should children become diagnosed with lyme disease.

The City Manager, Elaine Abbott, asks Mr. Schaeffer if the City were to have a specialist come in and eradicate or selectively call the deer what the cost would be. He responds that although it is very effective, it is very expensive and every town is different. He refers back to the packet that was provided the City prior to making that choice. She also asks about what other towns do to incentivize the hunters. Some other towns were just happy to hunt deer again. One town's deer committee suggested a poll of the property owners because it was such a controversial issue and surveyed them as to what they would or would not allow and then created a map based on the results. This gave the assurance to the landowners that their wishes were made known as well through the process. Pauline Emery from the audience appreciates this input but noted that she did not believe it would prove to be effective for those hunters that may be color blind. She has seen properties posted and hunters told that they cannot hunt and they have no respect for the property owner much less the deer. She acknowledges we have a problem and that something needs to be done, but does not feel we can open it up as a free for all for everyone.

Mr. Schaeffer speaks to the City's new ordinance a few years back that addressed bow hunting and is led to believe that Ms. Emery has not seen a change in the hunters behavior. She responds to say that people still come onto their property when they do not want them there. Another member of the audience comments to say that this is an issue of trespassing. The police department is contacted and they do respond to the call, but by the time they get there; the hunters are gone. Her wish is to have reputable hunters rather than someone who just comes here because it is so much easier to come to the island. Mr. Cates disagrees that it is not easy to hunt on the island, he lives here and follows the law legally and there is no place to hunt.

Chrissy Greenlaw comments to those that come to town and hunt from their vehicles.

Former Councilor Scott Emery from the audience asks the State biologist about the "any deer" permit and a lottery. He responds that they do issue them but you must apply for them. He asks if a permit could be issued specific to this area. Mr. Schaeffer comments to say that you can take all the "doe" you want if it is by *archery*. *Any archer can take a "doe" or a "buck" and he does not see the advantage of what Mr. Emery is asking.* It is clarified that what is being asked is that they hunt specifically in Eastport by lottery. Mr. Schaeffer is failing to see the advantage of what is being asked other than more bureaucracy. He reiterates that a municipality cannot limit hunting and that "bucks" are legal game.

Mr. Maddocks from the audience reminds everyone that these deer are very tame and you can walk right up to them and have to shew them away to get them to move.

Mr. Schaeffer states that he will have to look at the trends for registered deer harvests in Eastport. He further comments to say that our success rate should be really high if the deer are that vulnerable. Mr. Maddocks believes there may be two to three "bucks" on the island. Mr. Schaeffer reminds everyone that District 27 is not specific to Eastport and that it applies to three geographic locations and that there are other variables being considered.

Council President, Mary Repole, asks Mr. Schaeffer if he can find out what the success rates are and what the City is legally able to do. In the meantime, we will look into the matter of the tree stand alternative. Cecile Cates from the audience suggests that the town send out a questionnaire as to what the people want to see happen couple with consideration of a "doe" permit. This would assist in being able to respect each other. Council President updates that a committee needs to be formed and that names of interested parties who want to serve be submitted for consideration.

Mr. Schaeffer that the City needs to read the policy paper and that should we want to go with a special hunt it would require new regulation whether it would be a Commissioner's rule or law, it would need to go through an administrative procedure.

The City Manager comments to say that if he were able to get the success rate of Eastport it would be helpful. Mr. Schaeffer says that they have their meeting in March and they look at all that data.

Chris Bartlett of the audience addresses Mr. Schaeffer with a question relative to "any deer" permits. He asks for clarification that they can issue them now in Washington County without any rule change. He responds that there is a recommendation that goes before the Commissioner's advisory council with the department's recommendations. Mr. Bartlett asks if there is anything else that they would need from Eastport when they meet in the Spring. He said no, what is considered is the best approach and an alternative to change district lines or boundaries.

The Council President said that the City will work on getting the committee together and that we would get back to Mr. Schaeffer to see what there is the City can actually follow through on. The City will also check with the insurance company relative to the tree-stand suggestion.

Denise Cassidy from the audience asks if Eastport does not own the deer, why would we have to pay to get rid of them? Mr. Schaeffer responds that technically they belong to the people of the State of Maine. Mr. Schaeffer reaffirms that they work very closely with the district wardens. Councilor Gilbert Murphy understands that the wardens are very busy, but if they were able to have a bigger presence during hunting season it would eliminate some of the issues with some of the hunters.

### **III. ADJOURNMENT/CLOSING of WORKSHOP**

The Council President declared the Workshop closed at 6:07 p.m.